IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 18738 of 2005(E)

PETITIONER:

P.V. WILSON, S/O.THE LATE P.V.VARGHESE,
AGED 41 YEARS, ASSISTANT COMMANDANT,
K.A.P. 1ST BATTALLION, R.V. PURAM, THRISSUR,
RESIDING AT PALLASSERY HOUSE, YORDANAPURAM P.O.,
KALADY.

BY ADV. SRI.O.V.RADHAKRISHNAN (SR.),
SMT.K.RADHAMANI AMMA,
SRI.ANTONY MUKKATH,
SRI.K.RAMACHANDRAN NAIR(PATTAZHY).

RESPONDENTS:
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1. **STATE OF KERALA,**
   REPRESENTED BY CHIEF SECRETARY, THIRUVANANTHAPURAM

2. **DIRECTOR GENERAL OF POLICE,**
   KERALA, THIRUVANANTHAPURAM.

3. **SUBHASH GEORGE,**
   ASSISTANT COMMANDANT, SPECIAL ARMED POLICE,
   THIRUVANANTHAPURAM.

BY ADV. SRI.S.P.ARAVINDAKSHAN PILLAY,
SMT.N.SANTHA,
SRI.K.A.BALAN,
SRI.M.K.PRADEEPKUMAR,
SRI.PETER JOSE CHRISTO,
GOVERNMENT PLEADER SRI. K.V. MANOJ.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.18738/2005:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ORDER NO. C5-31849/82 DTD. 25/02/1984.

EXT.P.2: COPY OF THE KERALA POLICE SUBORDINATE SERVICES (ARMED BATTALIONS) SPECIAL RULES 1984 PUBLISHED AS PER GO (P) NO. 6/84/HOME DTD. 18/01/1984 OF THE R.1.

EXT.P.3: COPY OF THE ORDER NO. SPORTS/32229/86 DTD. 21/04/86 OF THE R.2.

EXT.P.4: COPY OF THE SPECIAL RULES FOR THE KERALA POLICE SERVICE (AMENDMENT) RULES, 1984 PUBLISHED AS PER GO (P) NO. 4/84/HOME DTD. 18/01/1984 OF THE R.1.

EXT.P.5: COPY OF THE ORDER NO. SPORTS/104760/87 DTD. 01/01/1988 OF THE R.2.

EXT.P.6: COPY OF THE GO (RT) NO. 1487/93/HOME DTD. 14/05/1993 OF THE R.1.

EXT.P.7: COPY OF THE G.O. (RT) NO. 4205/98/HOME DTD. 26/09/1998 OF THE R.1.

EXT.P.8: COPY OF THE GO (RT) NO. 3728/99/HOME DTD. 20/07/1999 OF THE R.1.

EXT.P.9: COPY OF THE G.O. (RT). NO. 1251/2003/HOME DTD. 11/07/2003 OF THE R.1.

EXT.P.10: COPY OF THE ORDER NO. SPORTS/4569/86 DTD. 27/01/1986 OF THE R.2.

EXT.P.11: COPY OF THE ORDER NO. 95/94-S DTD. 23/03/1994 OF THE COMMANDANT, SAP, TRIVANDRUM.

EXT.P.12: COPY OF THE GO (MS) NO. 113/89/HOME DTD. 07/09/1989 OF THE R.1.

EXT.P.13: EXTRACT COPY OF THE SENIORITY LIST OF APIs AS ON 01/08/2001 PUBLISHED AS PER LETTER DTD. 20/12/2001 OF THE R.2.

EXT.P.14: COPY OF THE G.O. (RT). NO. 2147/85/HOME DTD. 26/07/1985.

EXT.P.15: COPY OF THE GO. (RT). NO. 195/87/HOME DTD. 23/01/1987 OF THE R.1.

EXT.P.16: COPY OF THE REPRESENTATION DTD. 14/09/1991 OF THE R.3.

EXT.P.17: COPY OF THE ORDER NO. SPORTS/21091/91 DTD. 06/03/1993 OF THE R.2.

EXT.P.18: COPY OF THE JUDGEMENT IN O.P. NO. 11407/96 DTD. 19/06/2003 OF THIS HONOURABLE COURT

W.P.(C). NO.18738/2005:

EXT.P.19: COPY OF THE REPRESENTATION DTD. 26/08/2003 OF THE PETITIONER TO THE R.2.

EXT.P.20: COPY OF THE LETTER NO. 46840/A1/9/HOME DTD. 27/09/2004 OF THE R.1.

EXT.P.21: COPY OF THE OBJECTION DTD. 14/10/2004 OF THE PETITIONER TO THE R.1.

EXT.P.22: COPY OF THE GO (RT) NO. 2494/04/HOME DTD. 16/11/2004 OF THE R.1.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

KURIAN JOSEPH , J

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W.P.(C) NO. 18738 OF 2005

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Dated this the 6th day of July, 2007.

JUDGMENT

The issue raised in this writ petition regarding the retrospective appointment granted to the 3rd respondent is covered in favour of the petitioner by the bench decision of this Court dated 21.06.2006 in Writ Appeal No. 1435/2005. Therefore, the writ petition is allowed.

KURIAN JOSEPH, JUDGE.

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